

BROKER LINDSAY GOES TO JAIL IN DEFAULT OF BAIL

Taken to Tombs When Unable to Raise \$50,000 Fixed by Court When Arraigned.

PENNILESS, HE SAYS.

Admits Taking Women's Money, but Insists He Paid Part of It Back.

Alfred E. Lindsay, charged with embezzling the fortunes of prominent women clients in stock transactions, was sent to the Tombs to-day by Judge Mulqueen in General Sessions in default of \$50,000 bail on an indictment charging him with the larceny of \$17,000 from Mrs. William H. Arnold. Miss Carlotta Nilsson, the actress; Miss Florence James and Miss Margaret Bogart, among the women who charge Lindsay with taking them out of a sum reaching nearly a million dollars, were in court and went before the Grand Jury during the day. Assistant District Attorney Richard C. Murphy said he was sure of five additional indictments before the day was over.

Lindsay was brought from Ardmore, near Philadelphia, in the early morning hours by Detectives Roddy and McCoy, having waived extradition. He was questioned until daylight by Mr. Murphy and was taken to Police Headquarters to be shown to the detectives assembled there before his arraignment. As he stood before Judge Mulqueen, while his lawyer, Henry Goldstein, pleaded not guilty for him and obtained ten days' delay to make motions, Lindsay looked dejected. He was red-eyed from crying and lack of sleep.

"Isn't that rather high?" asked Mr. Goldstein when Assistant District Attorney Maloney asked that bail be fixed at \$50,000.

"I think it is rather low," said Judge Mulqueen. The court is informed there are several other matters pending against him. If he is guilty of one-half the things charged against him he belongs in jail, anyway.

"It is utterly impossible," said the lawyer, "for him to furnish that amount. He will have to go to the Tombs."

"We do not guarantee that those arraigned here shall be able to furnish the bail required," said Judge Mulqueen coldly. "Moreover, he will come to trial more quickly if he is kept in jail."

Two court attendants marched the prisoner across the Bridge of Signs. Lindsay, after being brought back from Police Headquarters, sat in the office of Mr. Murphy with his face to the wall so that the photographers in the corridor could not get a picture of him. Miss Nilsson, Miss James and Mrs. Arnold were in the crowd outside on tiptoes to get a glimpse of his broad back. As he was taken down to court a flashlight was set off which rattled the windows of the building by its explosion and made Lindsay jump a foot from the floor.

Mr. Murphy, after his early morning talk with Lindsay, said the prisoner declared he had lost every cent of the money he obtained from his "clients" and had no resources of his own.

At times weeping and sobbing, Lindsay gave his financial operations in detail and declared he didn't have a cent left of the hundreds of thousands of dollars. Some of the money, he said, he had lost in speculation and the rest he had paid back in monthly and weekly installments to some of his dupes.

The allegations made against him by the women complainants, he is quoted as saying, are all true except that in some instances they have exaggerated the amounts he received from them.

His wife, Lindsay asserted, knew nothing of his financial affairs until she read an account of it in the newspapers. The blow was so cruel to her, he said, she begged him to join her in suicide, but he refused.

"How much do you owe these women?" Mr. Murphy asked at one point in the examination.

"To be frank with you, Mr. Murphy," Lindsay is alleged to have said, "I can't tell you."

Asked if he had got as much as \$300,000 from Mrs. Duke, Lindsay responded without hesitation:

"That is rubbish."

"My wife," he said, "when she saw by the newspapers the extent of the trouble I was in, asked me to sell the Nyack house and try to meet my indebtedness. I was going to do that anyway. The house is worth \$60,000 and the furniture in it is worth \$1,200. With this capital and my confidence in my business ability, I planned to pay off all the women except Mrs. Duke by the end of 1921. I could have finished paying her by 1924."

"These women," said Mr. Murphy, "say that you represented to them you were intimate with George F. Baker, Percy Rockefeller, Charles H. Baker and others."

"They must have misunderstood me," he said, taking off his glasses to wipe away his tears. "I never tried to make them believe that. And I never heard of that 'Domino Club' of financiers until I read about it in the newspapers."

EVENING WORLD TEN-SECOND NEWS MOVIES

Walter Damrosch Says the Five Best Orchestras in the World Are American



"There are five American orchestras, two in New York, that outrank anything in the world."

"Musical appreciation has increased fifty-fold in the United States in fifty years."

"The greatest voices in the world are heard in New York. It is the world's musical centre."

"Creatively, we have not attained European status, but composers are better than forty years ago."

"If we wish to make great music, we must not be afraid of our emotions, or of expressing them."

"One encouraging sign for American music is that men, as well as women, are showing appreciation."

"Americans ought to make music, to have a community band and choral society in every town."

"Jazz is a satire of music, without message for heart or head, affecting solely the musical illiterate."

ANNULMENT DENIED THOUGH UNION HAD NO RELIGIOUS RITE

Justice Hotchkiss Finds No Wrongful Motive in Civil Ceremony of Schumanns.

Supreme Court Justice Henry D. Hotchkiss veered from the usual course of procedure to-day in making a decision in a suit for annulment brought on grounds that a civil ceremony had not been followed up with a religious rite.

In many similar cases in Supreme Court recently the court has granted the annulment. But to-day Justice Hotchkiss dismissed the complaint made by Mrs. Sallie Schumann, whose husband, Jack, lives at No. 300 Broadway, Brooklyn. The court ruled:

"What wrongful motive, in the absence of proof, can be ascribed to a man who ties himself up to a woman by a ceremony of legal and binding force?"

He is as deep in the mud as she is in the mire. No subsequent religious ceremony is necessary to make them man and wife. And, if they be co-religious, as in this case, and a civil ceremony has, in the light of the tenets of their mutual religion, certain limitations, is not this still another element to show the absence of wrongful motive? Motive being lacking, from what may we infer a pre-conceived intent to deceive? I can think of none."

"We know the impulsiveness, the immature and ephemeral urge of sex attraction in many natures. If we are to indulge in inference, it is far more likely that the man exercised the woman's privilege and changed his mind than that he purposely put the marital yoke about his own neck, merely to embarrass the plaintiff. Complaint dismissed."

SHOTS HALT ALLEGED ROBBERIES IN SUBWAY

John Graziano, seventeen, of No. 157 Forsyth Street, and Jasper Navarra, nineteen, of No. 33 Stanton Street, were arrested early this morning by Patrolman Andrews after two shots had been fired by the policeman to halt them.

They were charged by John Murphy of No. 3 East Seventh Street with having attacked and robbed him of \$40 as he was leaving the Astor Place subway station. No money was found on them.

WOMAN, CHARGED WITH SECOND AUTO ACCIDENT, ON \$12,000 BAIL

Mrs. Loretta Thompson of No. 217 East 14th Street, Brooklyn, was held in \$12,000 bail in Flatbush Court to-day. She was alleged to have run down a woman and child on a street car.

Thompson, a week after this accident was alleged to have run down three small boys at Coney Island, one of whom died, and for this she is under \$30,000 bail on a charge of homicide.

PREDICTS WORLD RULED BY WOMEN WITHIN 55 YEARS

By 1977 She'll Boss Things and Man Do Housework, Says Prof. Powers.

LOS ANGELES, Cal., Feb. 28.—Prof. Ralph L. Powers of the University of Southern California says that by 1977 the latest women will rule the world and men will do the housework and care for the children.

The reason for his belief, as stated by Prof. Powers in a lecture, is that the widespread advertisement of woman in recent years has stimulated her to all sorts of activities, which have already begun to trench her as the dominant sex. She is courted in business, the politicians fear overthrow unless they placate her, and she has won first place in the news of the day. Her manifest destiny as ruler of the world is thus merely a matter of swift development.

HOOCH IT WAS, MAYBE, SET FISH CRAZY OVER SHIP

They Squeek With Joy When Anti-Volstead Aroma Is Wafted From Vessel.

The Orizaba of the Ward Line arrived to-day with a queer tale of flying fish encountered on her way from Havana. Something aboard seemed to attract them, and the sailors assert the fish flew toward the boat with their heads high in the air, as though they scented something.

As they came nearer they became playful and flew along the sides, sniffing at the open ports and uttering squeaks of joy. Occasionally, it was said, one of the fish would drop to the water and could be seen half-flying, half-swimming, with what appeared to be an empty glass container some one had thrown overboard.

At one time, a sailor said, there were five of the fish using these glass life-preservers that had contained cough medicine, or something, bought in Havana.

Others were so playful they fell exhausted upon the deck. A deck steward said one of the fish made a noise that sounded exactly like a hiccup. One fish thrown back into the water was seen on its back apparently dead. The steward is sure it drowned.

"I don't know what was aboard the ship that made those fish act like that," said the smoking room steward. "I've seen many a passenger in the old days who never acted worse. I'll swear they weren't seasick."

COURT DENOUNCES POLICE METHODS

Magistrate Sweetser Criticizes Inspector Who Took Cop Off Beat—Four Prisoners Freed.

Modern metropolitan police methods were exemplified in West Side Police Court to-day when Patrolman Dennis Mitchell, temporarily assigned by Inspector Boland of the Fourth District to special service, arraigned four men on a charge of disorderly conduct before Magistrate Sweetser. It was established by Mitchell's testimony that he was taken off patrol duty and ordered to keep an eye on the Bryant Business Men's Club at No. 70 West 45th Street.

He walked into the place yesterday afternoon at 4 o'clock and sat around for half an hour. Then he arrested A. Haas, of the Great Northern Hotel, and three other men.

"What were they doing?" asked Magistrate Sweetser.

"They were making a loud noise while engaged in a card game," replied the cop.

"In a club?"

"Yes, Judge."

"Is that all they were doing?"

"Yes, Your Honor."

"Well," said the Magistrate, "I suppose you can't be blamed for going out and doing what your superior officer tells you to do, but you have done something illegal and you can tell Inspector Boland for me that I think he ought to be created the same at anybody else who does an illegal act. These men are discharged."

GETS DIVORCE DECREE; FORGAVE HUSBY ONCE

His Acts Justified Wife in Revoking Foundation, Says Court.

Although she had condoned a previous matrimonial offense by her husband and taken him back after divorcing him, Supreme Court Justice Conlon today granted a divorce to Mrs. Mabel Olson of No. 107 Charlton street, from Harry E. Olson. They have one daughter, Mildred, eight years old, who remains in the custody of the mother by the court's decree. In London, Justice Conlon said:

"Condonation, in the eyes of the law, is conditional upon the pardoned party treating the other with kindness in the future and refraining from a repetition of the offense forgiven and from committing any other matrimonial offense which falls within the purview of the law. Here the condition was broken by acts that revived the original offense and added thereto another one. These acts justified the plaintiff, Mrs. Olson, in revoking the condonation. She is entitled to a divorce."

MILK ADULTERATED FINED \$100

Jack Schwartz, No. 109 Walling Street, East, was fined \$100 by Magistrate Sweetser to-day for having sold adulterated milk.

'Music Safe for Democracy' Is Damrosch's Idea to Make America Lead Music World

Nation's Greatest Orchestral Leader Says in 50 Years We Have Built Up Five Orchestras Better Than the Best Europe Can Boast, but We Still Lack Creative Musical Ability, Though That Will Come.

Marquette Mooers Marshall.

"When I was a boy there were only two symphony orchestras in America and they were not playing together all the time. Now there are a dozen endowed orchestras, and of these at least five—the New York Philharmonic, the New York Symphony, the Boston Symphony, the Philadelphia Orchestra and the Chicago Orchestra—outrank anything in the world. New York is now, without any question, the musical centre of the world."

That is Walter Damrosch's crisply worded tribute to American musical development during the last half century. Three symphony orchestras united last night at Carnegie Hall to celebrate what might be termed the golden wedding anniversary of Mr. Damrosch and Music, heavenly maid—for it is just fifty years since he came to this country, and he has spent his life here in service to American music. He and his father first gave New York German opera; he is the dean of our orchestra conductors, having organized the New York Symphony on a permanent basis nearly twenty years ago; he was for many years the director of the Oratorio Society of New York; he has composed works of distinction.

Therefore, I went yesterday to Mr. Damrosch's home at No. 146 East 61st Street, to ask this man, who has done so much for American music, just how far we have progressed, musically speaking. I found him frankly, yet discriminately, enthusiastic.

"Musical appreciation must have increased at least fifty-fold in the United States during the last fifty years," he declared. He sat behind the flat-topped desk in the corner of his workroom, and the long window behind him was like a frame for the figure of youth and vigor, despite the silver locks. There is hardly a line in Mr. Damrosch's rosy face, and voice, hands and clear blue eyes belie his birthdays.

"When I say appreciation," he continued, "I mean not only a widespread liking for good music, but a willingness to support it. When I was a boy there were only two symphony orchestras in America, and the few who played together all the time were otherwise. Now we have a dozen endowed orchestras, and the reason why five of them"—Mr. Damrosch, at my request, named the Great Five mentioned at the beginning—"outrank those in Europe, is because, though so well supported, financially, they play together often than similar organizations abroad."

"Then take the matter of opera. The Metropolitan Opera House was opened in 1853 and proved a failure. Before that, New York had heard opera at the Academy of Music, but they were given as the private speculation of one man, Henry Mapleson. In 1851 my father was called to the Metropolitan to give German opera. When he died, the next year, I was made director and assistant conductor. The operas were given with great success for years, and now New York's Opera House is supported by its richest men and the greatest voices in the world are heard here. There is no question that, at present, New York is the musical centre of the world."

"Creatively, we have not yet attained the status of European countries," continued Mr. Damrosch, with candor. "It is a fact, however, that our best composers to-day are better than our best thirty-five or forty years ago. Our musical creativeness must be a matter of development, and naturally will come more slowly."

"Don't you think," I suggested, "that there are many more Americans who understand what is good in music than who appreciate the best in literature, painting, sculpture and architecture?"

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of music among us the fact that it is less antagonistic than any other art to the Puritan spirit? Milton, you know, loved his organ. With apologies to his shade, so does that ex-tremely religious sect, the Zionists, love its great organ in Shiloh, the Dowie Tabernacle."

Mr. Damrosch looked interested. "The Puritan spirit," he admitted, "may be more receptive to music than to other forms of artistic expression. Yet it still handicaps Americans to some degree, in their music as in their literature, because it is opposed to the display of deep feeling."

"If we wish to make great music we must not be afraid of our emotions. We must not be afraid to let ourselves go. We must cultivate emotional feeling and its expression. However, I think it is true that the dissemination of musical culture is wider in America than the dissemination of any other kind."

"One most encouraging sign to those who are interested in the future of American music is the fact that the men, as well as the women of America, are showing appreciation of it. That is another change that has come about in the last fifty years. There was a time when the American business man said, 'Yes, music's a fine thing for my wife and daughters.' He has reached the point now where he thinks it's a fine thing for himself. There are many men who attend my Sunday afternoon concerts. Masculine appreciation is a good sign, because no art can develop fully if only one sex takes an interest in it."

I asked Mr. Damrosch what he thought the best means of promoting still further the musical life of America. And I found that he believed thoroughly in making music safe for democracy.

"Americans ought not merely to like music, but to make music," he said, the blue eyes shining. "What I should like to see in every little town throughout the country is the community band and the community choral society. Experience in France during the war"—Mr. Damrosch, at Gen. Pershing's personal request, reorganized the bands of the A. E. F.

"I showed that almost every man, with a little teaching and encouragement, enjoys playing a wind instrument in the company of others, even if he is not competent to be a soloist."

"In Italy and Germany, every town the size of Albany, has its opera house and opera company, in which the people take intense interest. But opera is not the highest form of music, and in America it has, outside of New York, been little more than a fashionable fad. It is a question if the natural genius of America does not prefer instrumental music as a means of expression."

"We must foster musical composition too, and it is well to remember that our great music, when it comes, will be based solidly on the work of many mediocre composers. Just now, mediocre music, like the other arts, is suffering reaction on account of the war. To produce, the artist needs a period of tranquility."

"What effect is jazz having on America's musical life?" I asked.

Mr. Damrosch's eyebrows lifted, and he spoke with temperate disdain.

"Jazz has no effect on musicians, because to them it is a satire on music," he explained. "Its effect is produced solely on the musical illiterate, and this effect is unfortunate because it tends to create the impression that music is merely a form of nervous excitation. Jazz has no message for the heart or for the head. It is a voice from the jungle, the beating of life savage tom-toms. Its influence on children is particularly deplorable, but should be countered not with stern prohibitions but with the substitution of something better. There is the great field for the parent and the pedagogue. My children's constant interest in me more than any of my work, I have many children

GRACE DIETERICH WEDS C. M. TERRY, VETERAN, TO-DAY

Miss Grace Dieterich, daughter of Mr. and Mrs. Alfred E. Dieterich of No. 145 East 52d Street, and granddaughter of Charles F. Dieterich, President of the Chicago and South Bend Railroad, will to-day wed Carlyle Marshall Terry, son of Mr. and Mrs. Eugene P. Terry of No. 7 Riverside Place, Brooklyn. The ceremony is set for 4 o'clock this afternoon at the home of the bride's parents.

The knot will be tied by the Rev. Dr. Walter R. Ferris, pastor of the First Presbyterian Church of Syracuse. There will be a reception. The bride will be attended by Miss Violet Ferris, while Col. E. Barrett will be best man.

Miss Dieterich was graduated from Miss Spencer's school in 1920. Mr. Terry saw active service in the U. S. Navy during the World War and held the rank of Lieutenant.

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DEFENSE OFFERS NO EVIDENCE IN LIQUOR PLOT TRIAL

Attorney Begins Summing Up When Court Denies Motion to Dismiss.

Edward Donegan and Miss Regina Fassone, through their attorneys, W. J. Fallon and Thomas J. Cuff, informed Judge Webb to-day in the Federal District Court, where they are on trial, charged with traffic in liquor withdrawal permits, that they would call none of the forty witnesses for the defense, but submit their case to the jury without presentation of evidence. Mr. Cuff at once started summing up for Miss Fassone. This announcement came after Judge Webb denied motions by their attorneys for dismissal of the indictments.

Mr. Fallon's motion to strike out testimony of a number of the Government's witnesses was also denied. "There is not a scintilla of evidence that Donegan had anything to do with the removal of telegrams from the Prohibition Director's office," said Mr. Fallon. "The mere fact that Donegan and Miss Fassone were apparently living at the hotel under an assumed name and that telegrams were found in the apartment does not connect Donegan with the case. A thousand reasons for his presence in the hotel might be advanced, and the defendant Donegan is entitled to the benefit of any possible innocent explanation."

Mr. Fallon called the court's attention to the dozen counts in the indictment indicating twelve different takings of telegrams. He claimed that no evidence was introduced to prove a dozen different takings, and that such evidence should have been given by Government witnesses or there should have been one indictment count alleging larceny. Judge Webb said he would leave the matter to the jury.

Mr. Cuff asked for a dismissal of four counts in the indictment against Miss Fassone on the ground that the telegrams were dated and seized on Dec. 23, 1920, while her connection with the Prohibition Director's office ceased the day before.

"Every man who takes a drink to-day commits an act of conspiracy," said Mr. Cuff, addressing the jury. "This child, Regina Fassone, is accused of conspiracy for the alleged taking of some slips of paper. Are you going to send that little girl to prison for conspiracy?"

Judge Webb, who comes from South Carolina, said to the jury after Assistant Prosecutor Cahill had objected to the line of argument:

"It is not a conspiracy to take a drink under the Volstead act or any other act."

Attorney Fallon said not one word of testimony had been adduced to show that Donegan had ever touched a "1410" permit or had anything to do with one.

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MORE TEAMS PASS QUOTAS IN JEWISH RELIEF DRIVE HERE

Workers' Rally to Be Held Late This Afternoon at Headquarters.

A workers' rally will be held late this afternoon at the campaign headquarters of the \$5,000,000 Jewish War Relief Fund. Encouraging reports have been received in advance by David M. Bressler in charge of the New York City campaign.

Abe Edelson of the Millinery Team reported his group over the top with \$21,000 and after the scalp of the Retired Business Men's Team, which passed its quota of \$25,000. The Millinery Team quota is \$15,000.

Dr. Louis L. Ladin reported the physicians had exceeded their quota of \$25,000 and were trying for \$50,000. Other teams reported they were in sight of their expected sum. A mass meeting will be held this evening at 107, Hamedrosh Hagadol Congregation, No. 64 Norfolk Street. Judge Rosinsky, Magistrate Levine and David A. Brown, National Chairman, will address the meeting.

Dr. Nathan Krass of the Central Synagogue, 55th Street and Lexington Avenue, reported that a plate collection netted \$6,500 in five minutes. The Jewish Theological Seminary Synagogue reported \$5,338.75 in hand.

The following synagogues reported subscriptions: Washington Heights Congregation, \$27,135; Peni-El, \$6,268; Mt. Nebo, \$4,555.50; Pt. Washington, \$3,433; Temple of the Covenant, \$3,445.50; Mt. Sinai, Anahie-Emeth, \$3,252; Free Synagogue of Washington Heights, \$2,500; B'nai Israel, \$1,490; Ahavath Israel, \$1,309; Temple Israel, \$341. The headquarters staff at Washington Heights contributed \$250 and patients in the Washington Heights Convalescent Home pledged \$100.

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